

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. After amending the claims as set forth above, claims 16-18 are now pending in this application.

Applicants wish to thank the Examiner for the careful consideration given to the claims.

Rejection of claims 2-3, 10-11, and 14-15 based on 35 U.S.C. 112

Claims 2-3, 10-11, and 14-15 are rejected under 35 U.S.C. 112, second paragraph. Claims 2-3, 10-11, and 14-15 have been canceled, which renders the rejection of these claims moot. For at least this reason, favorable reconsideration of the rejection is respectfully requested.

Rejection of claims 1-13 based on the prior art

Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,698,977 ("Takahashi"). Claims 1-13 have been canceled, which renders the rejection of these claims moot. For at least this reason, favorable reconsideration of the rejection is respectfully requested.

Allowability of claims 16-18

Claim 16 recites, among other things, an air conditioner for a vehicle comprising a variable capacity compressor and a controller. The compressor is for compressing a refrigerant and controlling a discharged volume of the refrigerant by a power source for driving a vehicle. The controller is for setting a target temperature and controlling the discharged volume of the refrigerant based on the target temperature according to a state of the power source for driving the vehicle. The controller is adapted for setting a second target temperature higher than a preset first target temperature by a predetermined temperature when the power source enters into a low-speed state and for setting the second target temperature lower than the preset first target temperature by the predetermined temperature when the power source enters into a high-speed state. The controller is adapted for controlling the discharged volume of the refrigerant based on the second target temperature. These features are supported by the written description, for example, at page 9, line 21 to page 13, line 4 of the specification.

As set forth, the invention of claim 16 has the significant feature of having a controller adapted for setting a second target temperature higher than a preset first target temperature by

a predetermined temperature when the power source enters into a low-speed state, for setting a second target temperature lower than the preset first target temperature by the predetermined temperature when the power source enters into a high-speed state, and for controlling the discharged volume of the refrigerant based on the second target temperature. With this feature, when the power source enters into a low-speed state, the second target temperature is set higher than a preset first target temperature by a predetermined temperature. Thus, the power consumption of the variable capacity compressor can be reduced. Further, when the power source enters into a high-speed state, the second target temperature is set lower than the preset first target temperature by the predetermined temperature. Thus, the cooling power can be recovered. Because the second target temperature is dropped at the time of high speed in which the lowering rate of the fuel consumption is lowered and the cooling power lost at the time of low speed is to be recovered, it is possible to ensure comfort in a surer manner without lowering the fuel consumption.

Takahashi does not teach or suggest the features of claim 16. As shown in Table 1 of Takahashi, for example, when the accelerator switch is set to ON (accelerating/ascending), i.e., the power source enters into a high-speed condition, the target temperature is set high. Thus, in this state, the power consumption of the variable capacity compressor cannot be reduced. Consequently, Takahashi fails to disclose a controller adapted for setting the second target temperature lower than the preset first target temperature by the predetermined temperature when the power source enters into a high-speed state, and thus cannot achieve the effect of the present invention.

Claims 17-18 depend from and contain all the features of claim 16, and are allowable for the same reasons as claim 17, without regard to the further patentable features contained therein.

For at least these reasons, allowance of claims 16-18 is respectfully requested.

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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